Canadian International Trade Tribunal

2008-2009

Department Performance Report

The Honourable James M. Flaherty
Minister of Finance

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SECTION I—TRIBUNAL OVERVIEW

Chairperson's Message

I am proud to present the 2008-2009 Departmental Performance Report (DPR) for the Canadian International Trade Tribunal (the Tribunal).

The Tribunal's mandate is to provide the fair, transparent, timely and effective disposition of international trade cases, government procurement reviews and other matters in various areas of the Tribunal's jurisdiction. The Tribunal conducts inquiries into complaints relating to unfair trade (i.e. dumping and subsidizing), requests for protection from rapid increases in imports (safeguards) and complaints regarding federal government procurement. The Tribunal hears appeals from decisions of the Minister of National Revenue under the *Excise Tax Act* and of the Canada Border Services Agency (CBSA) under the *Customs Act* or the *Special Import Measures Act* (*SIMA*). In its advisory role, the Tribunal undertakes general economic inquiries for the Governor in Council and tariff references for the Minister of Finance.

As this DPR illustrates, the Tribunal's activities and initiatives contribute to Canada's competitiveness and to a fair and secure marketplace.

September 2008 marked the Tribunal's 20-year anniversary. Over the previous two decades, the Tribunal has built a strong reputation because of its fair, timely and transparent decisions. The Tribunal continued in this direction in 2008-2009 by focusing on its main priority of making sound decisions within statutory deadlines, and its supporting priorities under three broad categories: investment in its people, sound management practices and improved service delivery.

The Tribunal was able to meet nearly all of its targets in 2008-2009. The number of cases it received was very close to its baseline, i.e. the average number of cases it normally receives annually. The Tribunal managed to meet all of its statutory deadlines while maintaining its quality standards. However, the complexity and size of one anti-dumping case, as well as some bunching of cases, created serious challenges in terms of resource allocation, which resulted in delays in the release of decisions under the Tribunal's appeals mandate, which fortunately, is not subject to statutory deadlines.

The coming year should be quite challenging for the Tribunal as it will be facing a very different economic environment from that of 2008-2009. The world economic recession has convinced the Tribunal to revise its estimated caseload upward. Experience from past recessions leads us to believe that the Tribunal will face a significant increase in the number of trade remedies cases as the economy starts to recover. Procurement cases have been on an upswing for the last several years, a trend that the Tribunal now believes will accelerate as the Government increases its procurement activity in response to the

recession and as government procurement becomes more important to businesses in Canada. Although the Tribunal faces significant financial and human resources pressures due to the recession, it looks forward to the opportunity of playing an important role in Canada's economic recovery by producing fair, timely and transparent decisions.

André F. Scott
Chairperson

Raison d'être

The purpose of the Tribunal is to contribute to the economic objectives of the Government of Canada through its adjudicative and advisory work by ensuring fair, accessible and transparent trade and procurement regimes in Canada.

Responsibilities

The Tribunal was established in December 1988 under the *Canadian International Trade Tribunal Act* (*CITT Act*). It acts as an independent investigative and quasi-judicial decision-making body that reports to Parliament through the Minister of Finance. The Tribunal also derives authority from the *Special Import Measures Act*, the *Customs Act* and the *Excise Tax Act*. The Tribunal operates in one central location in Ottawa, Ontario.

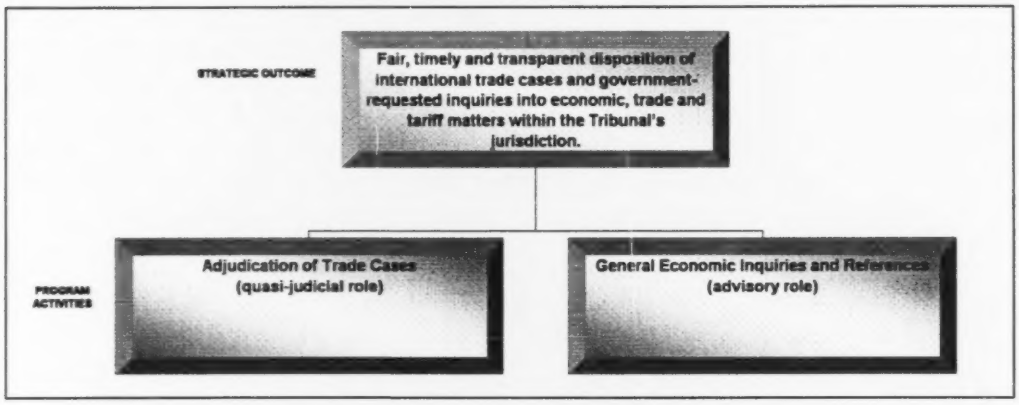
Under *SIMA*, the Tribunal conducts inquiries into whether dumped and/or subsidized imports have injured Canadian manufacturers. Pursuant to the *Customs Act*, the *Excise Tax Act* and *SIMA*, the Tribunal is empowered to deal with appeals from decisions of the Minister of National Revenue and the CBSA on various excise and customs matters.

The Tribunal is designated as the bid challenge authority (for procurement complaints) under the *North American Free Trade Agreement*, the *Agreement on Internal Trade* the World Trade Organization (WTO) *Agreement on Government Procurement*, and the *Canada-Chile Free Trade Agreement*.

Under the *CITT Act*, the Tribunal inquires into and provides advice on such economic, trade, commercial and tariff issues as are referred to the Tribunal by the Governor in Council or the Minister of Finance. It also undertakes safeguard inquiries under the *CITT Act* and is empowered, on complaint by an interested party or as directed by the Government, to carry out safeguard inquiries into rapid increases in foreign imports (including through special procedures for imports from the People's Republic of China specifically) and to formulate recommendations to the Government for dealing with such imports.

Strategic Outcome and Program Activity Architecture

The chart bellow illustrates the Tribunal's complete framework of program activities. The Tribunal has no program sub-activities.


STRATEGIC OUTCOME
Fair, timely and transparent disposition of international trade cases and government-requested inquiries into economic, trade and tariff matters within the Tribunal's jurisdiction.
PROGRAM ACTIVITIES
Adjudication of Trade Cases (quasi-judicial role)
General Economic Inquiries and References (advisory role)

Summary of Performance

Financial Resources ($ thousands)

Planned Spending	Total Authorities	Actual Spending
10,152	11,009	9,819

The Tribunal's financial resources had a direct impact on its ability to achieve its strategic outcome and deliver on its program activities. The following sections highlight the Tribunal's performance and demonstrate linkages between resources and results.

During the 2008-2009 fiscal year, the Tribunal's planned spending was $10.2 million. Through the Main Estimates and Supplementary Estimates, the Tribunal was allocated total authorities of $11 million, of which $0.7 million was a frozen allotment relating to the realignment of resources resulting from the strategic review process. Actual spending for the Tribunal was $9.8 million.

Human Resources (FTE)

Planned	Actual	Difference
77	73	4

The decrease in full-time equivalents (FTEs) from 77 to 73 in 2008-2009 is primarily due to normal staff turnover which includes retirements, secondments and parental leaves.

The Tribunal's success in fulfilling its mandate is directly tied to its professional, loyal, committed and knowledgeable staff.

Strategic Outcome 1: Fair, timely and transparent disposition of international trade cases and government-requested inquiries into economic, trade and tariff matters within the Tribunal's jurisdiction.		
Performance Indicators	**Targets**	**Performance Summary**
% of decisions published within statutory deadlines.	100% of statutory deadlines are met.	Met all
% of notices, decisions, guidelines for all mandates and practice notices are accessible to the public through the Tribunal Website, Canada Gazette or on MERX accordingly.	100% of notices, decisions, guidelines for all mandates and practice notices are accessible to the public through the Tribunal Website, Canada Gazette or on MERX.	Met all
% of decisions under judicial review dealing specifically with "due process" that are overturned by the Federal Court of Appeal and/or international appeal bodies.	Less than 1% of all decisions issued dealing specifically with "due process" are overturned by the Federal Court of Appeal and/or international appeal bodies on judicial review.	Exceeded
% of all decisions that are overturned by the Federal Court of Appeal and/or international appeal bodies.	Less than 2% of all decisions issued are overturned by the Federal Court of Appeal and/or international appeal bodies.	Met all
% of decisions on appeals issued within internal deadlines.	70% of internal deadlines are met.	Not met
% of recommendations and reports that meet the Terms of Reference and provide requested information.	100% of recommendations meet the terms of reference and provide requested information.	Met all
% of reports and recommendations to the Government or Minister of Finance that are issued within statutory deadlines.	100% of reports and recommendations are issued within statutory deadlines.	Met all

Summary of achievements against priorities

- The Tribunal met its targets for issuing all decisions within statutory deadlines, making information available to the public and sound decision making. The Tribunal exceeded its performance target on due process.
- The Tribunal improved its performance in meeting internal deadlines for the issuance of appeals decisions. However, this performance continues to be below the Tribunal's target as a consequence of reassigning resources from appeals cases to other cases in order to meet statutory deadlines.
- The Tribunal met its target for providing complete reports and recommendations to the Minister of Finance under the textile tariff reference. It met its target for providing timely reports and recommendations.

Financial Resources by Program Activity ($ thousands)

Program Activity[1]	Actual Spending 2007-2008	2008-2009				Alignment to Government of Canada Outcomes
		Main Estimates	Planned Spending	Total Authorities[2]	Actual Spending	
Adjudication of Trade Cases (quasi-judicial role)	9,764	9,969	9,969	10,826	9,664	Fair and secure marketplace
General Economic Inquiries and References (advisory role)	297	183	183	183	155	Fair and secure marketplace
Total	**10,061**	**10,152**	**10,152**	**11,009**	**9,819**	

1. For program activity descriptions, please access the Main Estimates online at www.tbs-sct.gc.ca/est-pre/estime.asp.
2. Includes a frozen allotment of $702,000 as part of the Strategic Review process.

Contribution of the Tribunal's Priorities to its Strategic Outcome

Operational Priorities	Type	Status	Link to Strategic Outcome
I—Process Cases Within Statutory Deadlines and Maintain Quality Standards • More Flexible Business and Resource Model The Tribunal's overriding priority continued to be to hear cases and to make sound decisions expeditiously on matters that fall within its jurisdiction within statutory deadlines. In support of this priority, the Tribunal undertook a number	Ongoing	Met all	Strategic outcome 1

Operational Priorities	Type	Status	Link to Strategic Outcome
of initiatives to improve service delivery, to ensure sound management and to invest in its people. These initiatives are discussed below. The Tribunal has been able to meet its statutory deadlines and to maintain the quality of its findings, determinations and recommendations even though some cases were particularly large and complex, and there was some bunching of cases. However, in order to do so, the Tribunal had to divert resources from appeal cases, which are not subject to statutory deadlines, resulting in delays in the issuance of appeals decisions. The Tribunal will continue to work on a more flexible and effective business and resource models in the next year, with a view to reaching its goal of meeting its internal deadlines on appeals cases.			
II—Improve Service Delivery • Information Technology (IT) and System Enhancements The Tribunal postponed until 2009-2010 the strengthening of its IT architecture while it waited for the release of the findings from Round VI of the Management Accountability Assessment. From these findings, the Tribunal will assess its IT governance, changes to IT infrastructure and IT applications. A long-term strategy and work plan will be developed to address accepted recommendations. The Tribunal continued to focus on improving electronic access for external parties by identifying options to provide e-filing and electronic sharing of selected case information while protecting confidential information. • Case Process Improvements The Tribunal struck two working groups to review case processing: one on appeals and another on procurement. The recommendations of both working groups were implemented to develop standardized case management schedules, and internal briefing and drafting procedures.	Ongoing	Mostly met	Strategic outcome 1

Operational Priorities	Type	Status	Link to Strategic Outcome
The Tribunal participated in a joint working group with the CBSA to examine administrative processes for the expiry review of trade remedies cases that it administers jointly with the CBSA. Options have been proposed and are being considered. One of the Tribunal's key ongoing risks is the management of its workload during periods of peak activity. In October 2008, the Tribunal hired experts to prepare a report on risk management during peak periods. The report identified a range of mitigation strategies to respond to peak periods, which will improve its case management in peak periods.			

Management Priorities	Type	Status	Link to Strategic Outcome
I—Invest in Its People • Recruitment, Retention, Learning and Succession Planning A continued focus was placed on the alignment of human resources management with business strategies and objectives. An integrated human resources plan was developed and implemented in 2008-2009. It identified learning and training requirements, staffing plans and succession strategies, with particular attention given to cross-training of staff in the different areas of the Tribunal's mandate. The Tribunal focused on enhancing relationships with like organizations for the exchange of resources through secondment opportunities to cover periods of peak caseload, and implementing programs for new employees to ensure the rapid transfer of knowledge. The Tribunal is also part of a small department cooperative working on human resources issues. This cooperative has enhanced the Tribunal's capacity of providing services to its managers and employees.	Ongoing	Mostly met	Strategic outcome 1

Management Priorities	Type	Status	Link to Strategic Outcome
Initiatives aimed at ensuring that employees have the skills required to meet the current and future requirements of the Tribunal continued to be a priority in 2008-2009. Although the project on individual learning plans was not fully completed in 2008-2009, it remains a priority for 2009-2010. During 2008-2009, the Tribunal completed a service delivery model that maps all existing training material and identified the need to develop other material. This tool will ease the transition for new employees and provide these employees, as well as current employees, with the skills required to better fulfill the Tribunal's mandate. • Improved Tools and Services for Employees Human resources continued the movement towards electronically managed human resources services to reflect the growing need to invest in the technology and systems that will provide employees and managers access to real-time information. The on-line Human Resources Information System was made available in June 2009.			
II—Sound Management Practices • Organizational Alignment and Improvements The Tribunal completed the implementation of its new business model. Building on the results of a preliminary capacity assessment conducted in 2007, the Tribunal expanded the scope of the assessment in 2008-2009 to include benchmarking of Tribunal practices and resource levels for its Corporate Services Branch against similar organizations in Canada. This work also included an in-depth review and assessment of the required skills and competencies required by staff, as well as existing gaps. • Accountability and Reporting The Tribunal is committed to the promotion of a corporate culture that ensures transparent management processes and accountability to the Government and the public. A number of policies	Ongoing	Met all	Strategic outcome 1

Management Priorities	Type	Status	Link to Strategic Outcome
and procedures were developed in 2008-2009, including on the disclosure of wrongdoing specific to the Tribunal; in support of this, the Tribunal will provide the required organizational information and training to its employees. The Tribunal is also committed to improving performance monitoring and reporting. It reviewed and upgraded its workload tracking and reporting mechanisms to facilitate on-going performance monitoring and reporting throughout the year. • Information Management The Tribunal initiated work in preparation for the review of its overall approach and policies for the retention and disposition of case records and documentation (including retention schedules). Progress was not as anticipated given staffing challenges experienced in finding resources in this field. The Tribunal will accelerate its efforts in this area in the next fiscal year.			

Risk Analysis

The Tribunal's workload of trade remedies, procurement, appeals and textile cases is externally generated through complaints filed by companies, which must be handled as soon as they are received and within statutory, government-mandated or internal deadlines. This operating environment presents three challenges for management. First, the actual caseload varies from year to year around the baseline. The caseload depends on factors outside the control of the Tribunal, such as the state of the economy. Second, the randomness of when complaints are filed often leads to the bunching of cases, i.e. there are periodic peaks of activity throughout the year that cannot be smoothed out because of statutory deadlines. Third, there is the challenge posed by the relatively small number of trade remedies cases and their high costs. Variations from the norm in terms of the number or size of cases can cause comparatively large swings in work effort.

In 2008-2009, the Tribunal focussed on strategies to mitigate its risks. Specific challenges and risks included:

1. Maintaining the Quality of Decisions and Meeting Statutory Timelines During the Transition to a New Business Model:

   In 2007, as part of its Strategic Review, the Tribunal recommended savings of $702,000, or close to 7 percent of its operating budget, through a better alignment

of resources with its anticipated workload. The recommendation was approved by the Government and implemented in 2008-2009. In transitioning to the new budget, the Tribunal implemented a new business model to provide more flexibility in assigning staff to cases. The Tribunal also promoted the cross-training to allow staff to move seamlessly between the several mandates. These initiatives were designed to enhance the Tribunal's capacity to respond to the variations in the number and mix of cases.

2. Maintaining the Quality of Decisions and Meeting Statutory Timelines in Peak Periods:

   The actual number of cases in 2008-2009 tracked closely to the Tribunal's baseline. There were, however, two periods of case bunching: procurement cases in the first quarter of the fiscal year and trade remedies cases in the third quarter of the fiscal year. In the fourth quarter of the fiscal year, the Tribunal managed a particularly large and complex trade remedies case on aluminum extrusions. This case needed to be staffed at more than twice normal resource levels.

   These peak periods were successfully managed by giving priority attention to procurement cases in the first quarter of the fiscal year and to trade remedies cases in the third and fourth quarter. As both of these mandates are subject to statutory deadlines, they were given priority over other types of cases with regard to staff assignments. In addition, overtime was used, retired staff were brought back to the Tribunal, students were employed, and leave and training were postponed during these peak periods.

   Recognizing the significance of this risk, the Tribunal hired experts to prepare a report on risk management during peak periods. The objectives of the 2008 project were to (1) document the extent of the peaking, (2) assess the strategies for dealing with the peaking, and (3) review the implications for baseline budgets.

   The report identified a range of mitigation strategies, including many that the Tribunal has used successfully in the past to respond to peak periods, including having staff work overtime, using external resources, contracting out work, filling vacant positions quickly, delaying cases not subject to statutory deadlines (e.g. appeals), increasing the use of IT and training staff as generalists.

3. Knowledge Transfer:

   In 2008-2009, several key senior employees left the Tribunal on retirement or to accept positions elsewhere. In order to minimize the loss of corporate knowledge, the Tribunal continued to focus much effort on the documentation of procedures, training, mentoring and coaching.

4. Maintaining Adequate Protection of Information in an Electronic Environment:

   The Tribunal exercised extreme caution in the use and distribution of confidential information, given the serious and significant financial injury that could be caused by the inappropriate dissemination and use of such information. The Tribunal did not experience any problems associated with this risk in 2008-2009 and will continue to take the necessary steps to ensure the security of electronic systems before developing and implementing them.

5. Ensuring IT Availability and Reliability:

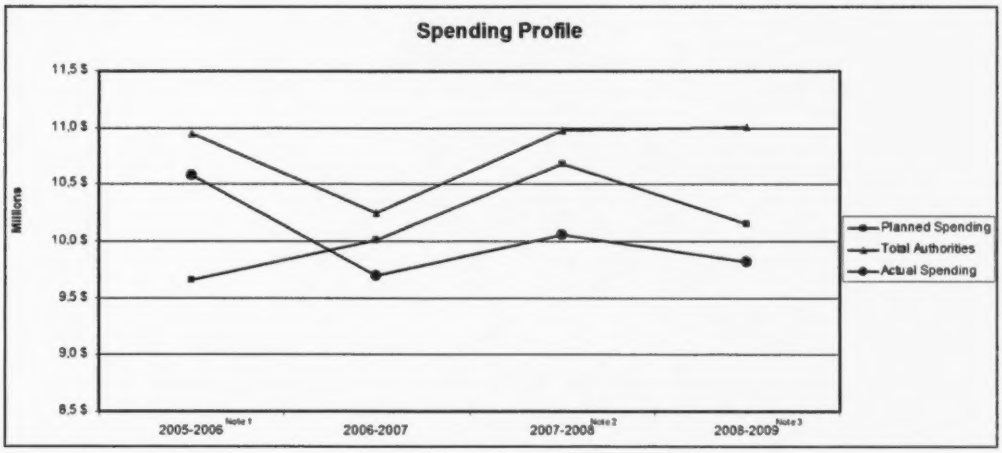
   Access to reliable IT is crucial for the Tribunal to maintain the quality of findings, determinations and recommendations and issue them within prescribed deadlines. The integrity of the network environment was regularly assessed to ensure that it continued to conform to government-wide policies and standards. Service improvements were made to ensure that technology kept pace with operational demands and external demands for greater electronic access. No major IT downtimes were experienced in 2008-2009.

Expenditure Profile

Planned and Actual Spending ($ thousands)

	2005-2006	2006-2007	2007-2008	2008-2009
Main Estimates	9,659	10,005	10,682	10,152
Planned Spending	9,659	10,005	10,682	10,152
Total Authorities	10,949	10,243	10,980	11,009
Actual Spending	10,581	9,700	10,061	9,819

For the 2005-2006 to 2008-2009 period, total spending includes all parliamentary appropriation: Main Estimates, Supplementary Estimates and Treasury Board Vote 15, and carry-forward adjustments.



The fluctuations in spending and planned spending since 2005-2006 can be explained by the three following events:

Notes:

1. In 2005-2006, the Tribunal worked on two major economic, trade and tariff references in addition to its normal caseload.

2. In 2007-2008, the Tribunal replaced its aging hearing room audio system for a total actual cost of nearly $340,000.
3. In 2008-2009, $702,000 was placed in a frozen allotment that was unavailable to the Tribunal for spending as a result of the 2007 Strategic Review. This explains the large variance between total authorities and actual spending.

Voted and Statutory Items

This table illustrates the way in which Parliament approved the Tribunal's resources, and shows the changes in resources derived from supplementary estimates and other authorities, as well as how funds were spent.

($ thousands)

Vote or Statutory Item	Truncated Vote or Statutory Wording	2008-2009 Main Estimates	2008-2009 Planned Spending	2008-2009 Total Authorities	2008-2009 Actual Spending
20	Program Expenditures	8,984	8,984	9,939	8,749
(S)	Contributions to Employee Benefit Plans	1,168	1,168	1,070	1,070
	Total Tribunal	10,152	10,152	11,009	9,819

SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

Strategic Outcome

Fair, timely and transparent disposition of international trade cases and government-requested inquiries into economic, trade and tariff matters within the Tribunal's jurisdiction.

The Tribunal has two program activities pertaining to this strategic outcome:

- Adjudication of trade cases (quasi-judicial role)
- General economic inquiries and references (advisory role)

For each of the two program activities, the tables below show the planned and actual financial and human resources committed, expected results, performance indicators, targets, performance status and performance summary.

Program Activity: Adjudication of Trade Cases (quasi-judicial role)					
2008-09 Financial Resources ($ millions)			2008-09 Human Resources (FTEs)		
Planned Spending	Total Authorities	Actual Spending	Planned	Actual	Difference
9,969	10,826	9,664	75	71	4

Expected Results	Performance Indicators	Targets	Performance Status	Performance Summary
Decisions rendered within statutory deadlines	% of decisions published within statutory deadlines.	100% of statutory deadlines are met.	Met all	In 2008-2009, 44 decisions on trade remedies and procurement cases were issued. The Tribunal met its target and these decisions were all issued within the statutory deadlines.
Information available to the public	% of notices, decisions, guidelines for all mandates and practice notices are accessible to the public through the Tribunal Website, Canada Gazette or on MERX accordingly.	100% of notices, decisions, guidelines for all mandates and practice notices are accessible to the public through the Tribunal	Met all	All notices, practice notices, decisions and guidelines for all areas of the Tribunal mandate were distributed to interested parties in cases, published on the Web and, in the case of notices, published in the Canada Gazette or on MERX accordingly.

Expected Results	Performance Indicators	Targets	Performance Status	Performance Summary
		Website, Canada Gazette or on MERX.		
Tribunal's decisions are fair, impartial and based on quality information.	% of decisions under judicial review dealing specifically with "due process" that are overturned by the Federal Court of Appeal and/or international appeal bodies.	Less than 1% of all decisions rendered are overturned by the Federal Court of Appeal and/or international appeal bodies on judicial review dealing specifically with "due process".	Exceeded	No decisions were overturned on this ground.
Fair, timely and transparent disposition of international trade cases and government requested inquiries into economic, trade and tariff matters within the Tribunal's jurisdiction.	% of all decisions that are overturned by the Federal Court of Appeal and/or international appeal bodies.	Less than 2% of all decisions rendered are overturned by the Federal Court of Appeal and/or international appeal bodies.	Met all	The Tribunal's performance in this regard has to be measured over a number of years to be meaningful. Between 2005-2006 and 2008-2009, 2% of Tribunal decisions were overturned by the Federal Court of Appeal. There have been no applications by parties for review of Tribunal decisions before binational panels or the WTO dispute settlement panel in the last three fiscal years.
Decisions on appeals rendered within internal deadlines.	% of decisions on appeals published within internal deadlines.	70% of internal deadlines are met.	Not met	Of the 20 appeals decisions issued in this fiscal year, 9 (45%) were issued within the voluntary time frame, an improvement over the last fiscal year (30%).

Program Activity: General Economic Inquiries and References (advisory role)					
2008-2009 Financial Resources ($ millions)			2008-2009 Human Resources (FTEs)		
Planned Spending	Total Authorities	Actual Spending	Planned	Actual	Difference
183	183	155	2	2	0

Expected Results	Performance Indicators	Targets	Performance Status	Performance Summary
Tribunal's recom-mendation on economic, trade, tariff matters and standing textile references are fair, impartial and based on quality information.	% of recommendations and reports that meet the Terms of Reference and provide requested information.	100% of recommend ations meet the terms of reference and provide requested information.	Met all	No requests for additional information were received from the Minister of Finance. All 3 recommendations submitted to the Minister were accepted by the Government.
Reports and Recom-mendations to Government or Minister of Finance published within statutory deadlines.	% of reports and recommendations to Government or Minister. of Finance. that are published within statutory deadlines.	100% of reports and recommend ations are published within statutory deadlines.	Met all	During the fiscal year, the Tribunal issued 3 recommendations and 2 of them were issued prior to the deadlines mandated by the Government in the Terms of Reference for the standing textile reference.

Performance Analysis

The year 2008-2009 was challenging for the Tribunal. In that year, it implemented a 7 percent reduction in its operating budget to more closely align its resources with the anticipated future caseload.

While the caseload unfolded much as expected, the Tribunal was required to manage several periods of peak activity caused by the bunching of cases and a particularly large and complex trade remedies case on aluminum extrusions. The periods of peak activity were managed by giving priority attention to cases subject to statutory deadlines, reassigning staff to the business lines under pressure, having staff work overtime and accessing a pool of retired staff.

Overall, the Tribunal was successful in meeting nearly all of its performance targets. With respect to the Tribunal's quasi-judicial activities, the Tribunal met its performance targets for meeting statutory deadlines, making information available to the public and sound decision making. The Tribunal exceeded its performance target with regard to "due process". Finally, it improved its performance in meeting internal deadlines for the issuance of appeals decisions, which are not subject to statutory deadlines. However, this performance continues to be below the Tribunal's target and is a direct consequence of the Tribunal giving lower priority to appeal cases during periods of peak activity. With regard to its advisory activities, the Tribunal met its performance target in respect of content and its target in respect of deadlines.

Benefits to Canadians

The Tribunal continued to focus its attention on its four key corporate priorities which are to process cases within statutory deadlines and maintain quality standards, to improve service delivery, to invest in its people and to apply sound management practices. All these priorities supported its strategic outcome of a fair, timely and transparent disposition of international trade cases and government-requested inquiries into economic, trade and tariff matters within the Tribunal's jurisdiction. For Canadian manufacturers and producers, this represents access to fair and efficient processes for investigating complaints of injury caused by unfairly traded imports, for investigating complaints on designated federal government procurement processes and for hearing appeals on customs and excise matters. For the Government, the Tribunal provides reliable economic and trade analyses and advice which enable it to make sound and informed decisions about the Canadian economy. Through the above, the Tribunal contributes to a favourable environment for a fair and secure trading system for individual Canadians and the Canadian business sector.

Lessons Learned

The management of periods of peak activity is a recurring challenge for the Tribunal. In 2008-2009, the Tribunal took important steps to manage these periods more proactively so as to mitigate their impact on the organization. The executive team now scans the Tribunal's environment and analyzes the expected workload to identify potential peaks and plan for their management. This initiative provided the Tribunal with an early signal that the global economic recession would likely result in a significant increase in the number of trade remedies and procurement cases for the next two to three years. As well, the Tribunal hired experts to prepare a report on risk management during peak periods. The report has helped the Tribunal to understand better the management challenge and the range of mitigation strategies relating to people, processes and technology.

The aluminum extrusions case was particularly important for the Canadian economy. It affected a one-billion-dollar market in Canada for aluminum extrusions. It was also a large and complex case for the Tribunal to manage. The number of case participants, the size of the official record and the range and complexity of the legal and economic issues severely taxed the capacity of the Tribunal to deliver its decision on time. At the conclusion of the case, members and staff met to assess the conduct of the case and to

identify lessons for future cases. Lessons learned reinforced the importance of the early identification of case issues and a strategic approach to their management, the early and proactive collection of the evidence relating to case issues, and early decision making with regard to issues affecting the scope of the inquiry.

The Tribunal administers, jointly with the CBSA, the expiry review process in trade remedies cases. An expiry review examines the need to continue the imposition of anti-dumping and/or countervailing duties after they have been in place for five years. In 2008-2009, the Tribunal worked closely with the CBSA to coordinate better and improve the expiry review process. Improvements were implemented to make the process more efficient, including the distribution of the CBSA questionnaires on CD and the transfer of the CBSA's record to the Tribunal electronically. These improvements have benefited participants as well as the CBSA and the Tribunal. Other improvement proposals have been made and are being considered.

SECTION III—SUPPLEMENTARY INFORMATION

Financial Highlights

($ thousands)

Condensed Statement of Financial Position

At End of Year (March 31, 2009)

	% Change	2009	2008
Assets			
Total Assets	(23.1)	476	619
Total	**(23.1)**	**476**	**619**
Liabilities			
Total Liabilities	(6.5)	2,639	2,822
Equity			
Total Equity	(1.8)	(2,163)	(2,203)
Total	**(23.1)**	**476**	**619**

Condensed Statement of Operations

For the Year (Ended March 31, 2009)

	% Change	2009	2008
Expenses			
Total Expenses	2.1	12,133	11,889
Revenues			
Total Revenues	0	(1)	(1)
Total	**2.1**	**12,132**	**11,888**

Financial Statements

The Tribunal's financial statements are available at www.citt-tcce.gc.ca/publicat/index_e.asp#9.

Contact for Further Information and Web Site

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E-mail: secretary@citt-tcce.gc.ca
Tribunal's web site: www.citt-tcce.gc.ca

Legislation Governing the Work of the Canadian International Trade Tribunal

Canadian International Trade Tribunal Act	R.S.C. 1985 (4th Supp.), c. 47
Customs Act	R.S.C. 1985 (2d Supp.), c. 1
Excise Tax Act	R.S.C. 1985, c. E-15
Special Import Measures Act	R.S.C. 1985, c. S-15
Energy Administration Act	R.S.C. 1985, c. E-6
Canadian International Trade Tribunal Regulations	S.O.R./89-35
Canadian International Trade Tribunal Procurement Inquiry Regulations	S.O.R./93-602
Canadian International Trade Tribunal Rules	S.O.R./91-499

Tribunal Publications

For a complete list of Tribunal publications, please see the Tribunal's Web site at www.citt-tcce.gc.ca/publicat/index_e.asp.